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**FILED**  
DISTRICT COURT OF GUAM

AUG 31 2006 *mb*

**MARY L.M. MORAN**  
CLERK OF COURT

6 **FORREST BOOTH** (Cal.Bar No. 74166)( Admitted *pro hac vice*)  
7 **RYAN C. DONLON** (Cal.Bar No. 229292)(Admitted *pro hac vice*)  
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16 Attorney for Attorneys for Defendant, Cross-Claimant and  
17 Counterclaimants S.J. GARGRAVE SYNDICATE 2724  
18 8ZP602

13 **IN THE DISTRICT COURT OF GUAM**  
14 **TERRITORY OF GUAM**

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 MARWAN SHIPPING & TRADING, CO.,  
20 FIVE SEAS SHIPPING CO., LLC, and  
21 S.J. GARGRAVE SYNDICATE 2724,  
in personam,

22 Defendant.

CIVIL CASE NO. CV06-00011

**DEFENDANT S.J. GARGRAVE'S  
REQUEST TO APPEAR  
TELEPHONICALLY FOR  
MOTIONS HEARING;  
DECLARATION OF SERVICE**

23 AND CROSS-CLAIMS, COUNTERCLAIM,  
24 AND CLAIM IN INTERVENTION.  
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**ORIGINAL**

1 Defendant requests that Attorney Forrest Booth, counsel for S.J. Gargrave 2724 be  
2 allowed to appear telephonically before the Court on September 12, 2006 at 10:00 a.m. for  
3 the scheduling conference. Mr. Booth lives off-island and will not be able to attend the  
4 hearing in person.

5 Dated this 31<sup>st</sup> day of August, 2006.

6 TARPLEY & MORONI, LLP

7  
8 By: 

9 THOMAS M. TARPLEY, JR.,  
10 Attorney for Defendant  
11 S.J. GARGRAVE 2724  
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CERTIFICATE OF SERVICE

I, Thomas M. Tarpley, Jr. hereby certify pursuant to Rule 5(d) F.R.C.P. that on August 31, 2006, I caused to be served true and correct copies of **DEFENDANT S.J. GARGRAVE'S REQUEST TO APPEAR TELEPHONICALLY FOR MOTIONS HEARING; DECLARATION OF SERVICE**, and **ORDER GRANTING DEFENDANT S.J. GARGRAVE'S REQUEST TO APPEAR TELEPHONICALLY FOR MOTIONS HEARING** to the following:

R. MICHAEL UNDERHILL, ESQ.  
c/o MIKEL W. SCHWAB, ESQ.  
OFFICE OF THE UNITED STATES ATTORNEY  
108 HERNAN CORTEZ AVENUE, SUITE 500  
HAGATNA, GUAM 96919  
Attorneys for Plaintiff

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c/o LAWRENCE J. TEKER, ESQ.  
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SUITE 401  
HAGATNA, GUAM 96910

Dated this 31<sup>st</sup> day of August, 2006.

  
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THOMAS M. TARPLEY, JR.